

POLICY BULLETIN

CHILD NUTRITION PROGRAMS

NSLP 13-06

April 27, 2006

SUBJECT: Foods of Minimal Nutritional Value (FMNV)

7CFR Part 210.11 Competitive Food Services
Appendix B - Categories of FMNV

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The intent of the regulations on competitive foods and FMNV is to protect the nutritional integrity of school meals (SP 99-14).

State agencies and school food authorities shall establish such rules or regulations as are necessary to control the sale of foods in competition with lunches served under the Program (7 CFR Part 210.11).

Schools may not design their food service area in such a way as to encourage or facilitate the choice or purchase of FMNV as a ready substitute for, or addition to, program meals (SP 01-04).

Therefore, it has been determined by the Utah State Office of Education, Child Nutrition Programs:

- Vending machines containing FMNV in a room opening directly into serving or dining areas are not in compliance with the intent of the regulations on competitive foods and FMNV.
- Vending machines containing FMNV in a room opening directly into serving or dining areas are designed to encourage or facilitate the purchase of FMNV as a ready substitute for, or addition to, program meals.

If the school wishes to continue to have a vending machine room which opens directly into a serving or dining area, one of the following must be done:

- No FMNV will be sold in the vending machines.
- Vending machines that contain FMNV will be turned off until the end of all serving and dining schedules for the school.

Another option would be to relocate vending machines containing FMNV to an area outside the serving or dining areas.

Please be aware, when students dine in any area of the school they choose, the whole campus is the dining area. An area of the school can be designated as a no dining area, but it must be monitored to assure compliance.

These changes must take place on or before the beginning of the 2006 - 2007 school year or September 1, 2006, whichever is first.